

**Federal Geographic Data Committee
Marine Boundary Working Group Meeting
November 13, 2006**

Minutes

The Federal Geographic Data Committee's (FGDC) Marine Boundary Working Group (MBWG) met at the Federal Communications Commission in Washington, D.C. on November 13, 2006. An agenda is included at the end of the minutes, as is a list of items that were distributed at the meeting. Individuals who wish to request copies of these items should contact David Stein at *Dave.Stein@noaa.gov*.

Opening remarks

Cindy Fowler welcomed everyone and called the meeting to order. This was the eleventh meeting of the MBWG. The last meeting was held on April 27, 2006 in St. Petersburg, Florida. Cindy also introduced Steve Kopach as the new co-chair. Steve recently became the branch chief for the Minerals Management Service's Mapping and Boundaries Branch. The objectives of the meeting were to highlight some of the recent activities of the working group, discuss a new project underway to develop a multipurpose marine cadastre, and discuss ongoing and new work items. All participants then introduced themselves (a list is provided below).

Agenda Items

1. Agency and thematic updates

- **Baseline committee update**

Meredith Westington (NOAA) reported that the Baseline Committee reviewed and approved the baseline for the last portion of Alaska on November 3, 2006. It may take some time to clean-up the overlaps, but NOAA reports that the maritime limits should be posted to the Internet by the end of FY07. It should be noted that there is more shoreline in Alaska than the continental US and the baseline was evaluated in half the time it took to complete the continental US. The evaluation included delimiting closing lines across bays, rivers, and harbors, which serve as the inner limit of the territorial sea, as well as researching 2,140 charted rocks awash against source hydrographic surveys. The fast pace by which Alaska was completed could not have been done without hard work over the last year from Brian Killen, Candace Nachman, Sofia Hamrin, and Matt Slagel.

The Baseline Committee is also revisiting the descriptive text on the paper/raster nautical charts (Note X) and reviewing expanded language to be included in the Coast Pilot. On November 3, the Committee approved new condensed language describing the territorial sea and contiguous zone for the electronic navigational charts.

The next Baseline Committee meeting is on January 12 at the Department of State. On the agenda is the baseline review of Guam, American Samoa, Wake Island, Johnston Atoll, and Navassa Island.

Brian VanPay (State Department) gave an update on the status of the US extended continental shelf claim and mentioned that a white paper has been recently finalized and is available to any interested parties.

- **Maritime Boundary Project**

Meredith Westington (NOAA) reported that digital versions of the U.S maritime limits of the territorial sea and contiguous zone, as well as the Three Nautical Mile Line, have been posted to the Internet for the continental U.S., Hawaiian Islands, and Puerto Rico. The EEZ at 200nm has been posted for the Hawaiian Islands and Puerto Rico and EEZ for the continental U.S shall be posted to the Internet soon. Maritime limits off of Alaska were recently approved by the U.S. Baseline Committee and will be available sometime during 2007.

- **International Submerged Lands Management Conference**

David Stein (NOAA) reported that MMS and NOAA CSC sponsored the ISLMC this past year held in Red Bank, NJ on October 16-20. It was a good conference that focused on public trust, aquaculture, ports, alternative energy, restoration, and submerged land mapping. The MBWG organized a session on mapping this year called *Submerged Lands Mapping: Finding our Way*. There were presentations from the Coastal Services Center, MMS, and The Nature Conservancy. Next year's conference will be held in Williamsburg, VA.

- **U.S. Fish and Wildlife Service**

Doug Vandegraft (USFWS) updated the working group on wildlife refuge boundaries. There are currently 169 refuges that touch tidally-influenced water and are considered refuges with marine boundaries. The Cartographers of the FWS are using digital data from the National Wetlands Inventory to identify the 'marine component' of the coastal refuges. The NWI data classifies wetlands according to their salinity values. The salt water habitats are 'clipped' with the refuge ownership polygons to render the marine acres and shoreline distances.

The 53 refuges of the southeastern U.S. have been completed so far. Doug also reported that he has been successful in getting the coastal refuges listed in the NOAA Coast Pilot. Working with the NOAA Marine Managed Area Office in Monterey, CA, those refuges that have tidal waters that can float a 30' boat are now listed in Appendix C. Also mentioned was the Memorandum of Understanding signed last May by FWS, NOAA, and the State of Hawaii for the cooperative management of the Northwestern Hawaiian Islands. This area was declared a marine national monument by Presidential Proclamation in June.

- **Minerals Management Service**

Steve Kopach (MMS) reported that their office is in the process of developing their five year operational plan. They are currently recruiting for 2 cartographers

in the Herndon office. Bob Johnson and Richard Naito are telecommuting from Denver.

- **National Geospatial Intelligence Agency (NGA)**

Trent Palmer (NGA) reported that he has requested permission from NGA's Office of International and Policy to make the worldwide maritime boundary shapefiles available to customers outside NGA and the Intelligence Community. Possible sites to make the data available include the Geopatial One Stop, the U.S. Department of State's Boundaries and Sovereignty Encyclopedia (<http://base.us-state.osis.gov/>) and a cooperative effort by the Smithsonian Institution and NOAA called the Oceans GeoPortal.

Also, efforts are underway at NGA to ensure that the National System for Geospatial-Intelligence Feature Catalog (NFC) (successor to FACC) includes appropriate attribution for maritime boundary, limit and claim data.

The global shoreline data base is now available (since earlier this year) at the NGA public website: <http://www.nga.mil/portal/site/nga01/index.jsp?epi-content=GENERIC&itemID=9328fbd8dcc4a010VgnVCMSTServer3c02010aRCRD&beanID=1629630080&viewID=Article>

- **State Lateral Boundaries**

Bob Johnson (MMS) gave a presentation on a project underway to develop state lateral administrative boundaries, which portray the lateral boundaries for MMS administrative purposes only -

see: <http://www.mms.gov/ld/AdminBoundaries.htm>. A discussion ensued about whether it was the role of the MBWG to facilitate development of more official boundaries extending from the coast line to out to the Submerged Lands Act boundaries of states. It is unclear as to what, if any, role the MBWG has in this process. It will more than likely be issue driven and between adjacent states. There was general agreement that this is a critical data set to have for ocean planning and governance purposes.

2. The Public Trust Doctrine

- **Overview of the Public Trust Doctrine, Kerry Kehoe (NOAA).**

Kerry provided an overview of the Public Trust Doctrine for the Working Group. The Public Trust Doctrine is a common-law doctrine of property law, customized by each state, which establishes public rights in navigable waters and on their shores. The doctrine is premised on the fact that such waters and shores have been used as common areas for food, travel, and commerce since time immemorial. In some states, public rights may also be exercised on private lands. The legal interest of the public is determined by balancing public and private rights and interests.

- **Project to update the Putting the Public Trust Doctrine to Work, Tony MacDonald (Urban Coast Institute) and Kacky Andrews (Coastal States Organization).**

Tony and Kacky provided an overview of a project underway to update *Putting the Public Trust Doctrine to Work, Second Edition*. This project is in the proposal stage and there is the opportunity for some collaboration between the MBWG and the Coastal States Organization. There wasn't much time for discussion but the MBWG will explore ways it might be able to contribute.

3. Multi-purpose Marine Cadastre.

Steve Kopach and Jim Fulmer (MMS) provided an overview of the multi-purpose marine cadastre project. On August 8, 2005, President George Bush signed the Energy Policy Act of 2005 (P.L. 109-58). *Sec. 388 – Alternative Energy-Related Uses on the Outer Continental Shelf*, of the Act grants the Minerals Management Service (MMS) new authority to regulate alternative energy uses on the Outer Continental Shelf (OCS). Moreover, it directs the Secretary of the Interior, in cooperation with the Secretary of Commerce, the Commandant of the Coast Guard, and the Secretary of Defense, to establish an OCS Mapping Initiative to assist in decision making related to alternative energy uses on the OCS. The goal of the initiative is the identification of OCS locations of Federally-permitted activities; obstructions to navigation; submerged cultural resources; undersea cables; offshore aquaculture projects; and any area designated for the purpose of safety, national security, environmental protection, or conservation and management of living marine resources. The repository of this data will be the Multipurpose Marine Cadastre - an integrated submerged lands information system consisting of legal, e.g., property ownership or cadastre, physical, and cultural information in a common reference framework. It will be an ambitious, multiyear endeavor that requires joint planning, interaction, and commitment by Federal, State, local, territorial, and tribal entities working through public and private partnerships.

A subset of the MBWG has agreed to take the next steps in defining the Web interface and Internet mapping component of the multi-purpose marine cadastre. A survey has been developed to identify what map services (ArcImage, ArcFeature, Web Feature Service (WFS) and Web Map Service (WMS)) exist for these data. Since only 6 people responded (out of 112 people on the MBWG list server), it was decided that the first step should be to have member agencies populate a standardized spreadsheet, which would serve as an inventory of primary and supporting data in a marine cadastre system. It was also decided that the group would work on creating some surround material that would help market the concept since the word "cadastre" means nothing to people outside the field and the project has potential far reaching benefits. There was also discussion about how this ties into the larger Interagency Working Group on Ocean and Coastal Mapping project to develop a coastal and ocean mapping inventory. The subgroup will continue to define the project and is scheduled to meet in Charleston on January 17-18, 2007.

4. Handbook distribution and outreach strategy

Cindy Fowler updated the group on the status of handbook distribution. Four thousand copies of the handbook were published in August 2006. To date, just over 2000 have been distributed. All member agencies received copies or multiple copies. Others who have received copies include: state coastal management programs, National Estuarine Research Reserves, National Marine Sanctuaries, and National Estuary Programs. The Coastal Services Center also developed a Web site for distribution where people can download a portable document format (.pdf) or request a printed copy. Cindy also discussed a plan for briefing congressional staffers but would first need to identify those people through congressional affairs.

We now need a second wave of distribution and the working group was asked to provide input. Milo Mason (DOI) mentioned that he would send the contact information for the Marine Resources Committee of the American Bar Association. Harry Norris provided the contact list from the Boating and Waterways Management Conference in Florida and mentioned that the coordinator found the handbook to be very useful. The handbook is also available from the FGDC's homepage.

5. Group discussion on updated MBWG Work Plan.

Since we were running out of time, the work plan will be distributed for comment via e-mail. Most of the work plan items had been discussed throughout the meeting; however, we are required to submit an updated work plan to the FGDC and need to get group buy-in.

6. Next Meeting.

The next full MBWG meeting will be held sometime in the Spring. It was requested that we look for a facility that has audio visual capabilities. The marine cadastre team will be meeting in Charleston on January 17-18, 2007.

Action Items

Action 1: Send Peter Budd (new member from the Park Service) information about the working group and add him to the list server.

Action 2: Send work plan out to the list server for review.

Action 3: After work plan is updated, submit to the FGDC.

Action 4: Develop a standard letter to be sent to legislative affairs describing the handbook and the working group's desire to identify people on the Hill who would benefit from it.

Action 5: Milo Mason to send David Stein contact information for the Marine Resources Committee, American Bar Association.

Action 6: Develop agenda for the marine cadastre working meeting and an initial work plan to be presented at the next MBWG meeting.

Handouts

1. Agenda
2. List of attendees

Attendees

Cindy Fowler, NOAA CSC
Steve Kopach, MMS
David Stein, NOAA CSC
Hamilton Smillie, NOAA CSC
Doug Vandegraft, USFWS
John Haines, USGS
Meredith Westington, NOAA OCS
Matt Slagel, NOAA OCS
Henry Norris, Florida FWC
Trent Palmer, NGA
Donald Campbell, FCC
Phil Caldwell, NOAA Fisheries
Jim Fulmer, MMS
Tony MacDonald, Urban Coast Institute
Kacky Andrews, Coastal States Organization
Kerry Kehoe, NOAA
Bob Johnson, MMS (via phone)
Peter Budd, NPS (via phone)

Agenda

FGDC Marine Boundary Working Group Meeting
Monday, November 13, 2006
Federal Communications Commission, Room 5-B516
445 12th Street SW
Washington, DC

- 9:00 Coffee and bagels
- 9:30 Welcome and introductions – Cindy and Steve
- Introductions
 - Agenda review
 - Highlights from last meeting

- 9:45 Updates from Agencies and Committees
- Agency updates – Open to all
 - FGDC news – Tony LaVoi
 - Maritime boundaries project – Meredith Westington
 - Baseline committee update – Meredith Westington
 - Submerged Lands Conference – David Stein
 - State lateral boundaries – David Stein/Bob Johnson
 - Other
- 11:00 Public Trust Doctrine – Kerry Kehoe, NOAA
- Overview
 - MBWG Role
- 12:00 Lunch
- 1:00 Multi-purpose marine cadastre - MMS
- Status and timeline
 - Questionnaire Results
 - Actions for MBWG
- 2:00 Handbook distribution and outreach strategy – Cindy Fowler
- 2:30 MBWG Web site – status of the Portal – David Stein
- 3:00 FY 2007 Work Plan discussion – Steve Kopach
- 3:45 Action items and next meeting